

### **REMARKS**

Claims 1-4, 7-17, 19-22, 24-27, 29, and 44-45 remain in this application, and claim 1 has been amended in this paper to correct an inadvertent omission of the word "component" after the phrase "said viscosity-increasing" in the second line of clause iii of the claim.

The October 22, 2003 Advisory Action stated that Applicants' Amendment filed on October 1, 2003 has overcome the following rejections: (1) canceling claim 46 overcomes the 35 U.S.C. § 112 rejection contained in the July 1, 2003 Office Action; and (2) filing the Terminal Disclaimer overcomes the double patenting rejection contained in the July 1, 2003 Office Action.

The Advisory Action also stated that the proposed Amendment (filed October 1, 2003) will be entered, but that all of the presently pending claims (1-4, 7-17, 19-22, 24-27, 29, and 44-45) would be rejected. The Advisory Action explained that the Declaration Under 37 C.F.R. § 1.131 submitted by Applicants would not place the application in condition for allowance and that the Declaration is not being considered. Specifically, the Advisory Action referred to a second primary reference (WO 98/03147 to Hammonds, et al.), stating that this second primary reference can be combined with another secondary reference (besides the WO 00/64408 reference that is the subject of the Rule 131 Declaration) "to meet the limitations of the instant claims." (Advisory Action, Continuation Sheet).

Therefore, Applicants are filing a Request for Continued Examination (RCE) along with the fee required under 37 C.F.R. § 1.17(e), so that the Declaration Under 37 C.F.R. § 1.131 previously filed on October 1, 2003 will be considered. For the convenience of the Examiner, another copy of this Declaration (6 pages) with its Exhibit A (1 page) is appended to this Amendment. As stated in the October 1, 2003 Amendment, Applicants' submission of this Declaration is in no way an admission that WO 00/64408 either (1) anticipates the claims of the present application under any applicable section of 35 U.S.C. § 102 or (2) renders obvious, alone or in combination with other reference(s), the claims of the present application under 35 U.S.C. § 103.

Applicants simply request that in light of the Declaration, WO 00/64408 be removed as prior art under § 102(a).

Lastly, with regard to the second primary reference alluded to in the Advisory Action (Hammonds, et al.), Applicants respectfully point out that Hammonds, et al. is directed to fibrous sheet materials applied with an oat extract solution, and this oat extract solution includes an effective amount of oat extract and a solubilizing agent (which, in some embodiments, may be glycerin). However, contrary to independent claims 1 and 22 of the present application, Hammonds, et al. does not disclose or teach the use of an alkoxylated alcohol surfactant (e.g., talloweth-60-myristyl glycol) as part of a viscosity-increasing component of a water-soluble lotion composition applied to a paper web. Thus, for at least this reason, Applicants respectfully submit that independent claims 1 and 22, as well as all the pending dependent claims, patentably define over WO 98/03147 to Hammonds, et al.

In summary, Applicants respectfully submit that all of the pending claims in the present application patentably define over all of the prior art of record and satisfy all of the requirements of 35 U.S.C. § 112. It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Wells is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment. Otherwise, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Appl. No. 09/718,071

Amdt. Dated October 30, 2003

Reply to Advisory Action of October 22, 2003 and Final Office Action of July 1, 2003

Please charge any additional fees required by this Amendment to Deposit  
Account No. 04-1403.

Respectfully submitted,

DORITY & MANNING, P.A.

A handwritten signature in black ink, appearing to read "Jason W. Johnston", written over a horizontal line.

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